



# House of Representatives

General Assembly

**File No. 248**

January Session, 2007

Substitute House Bill No. 6565

*House of Representatives, April 2, 2007*

The Committee on Environment reported through REP. ROY, R. of the 119th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT CONCERNING CHARITABLE CONTRIBUTIONS TO THE  
TURN IN POACHERS PROGRAM BY DEFENDANTS IN  
CONSERVATION CASES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-56h of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) The court may, in the disposition of any criminal or motor  
4 vehicle case, including a dismissal or the imposition of a sentence,  
5 consider the fact that the defendant has made a monetary contribution  
6 to the Criminal Injuries Compensation Fund established under section  
7 54-215 or a contribution of community service work hours to a private  
8 nonprofit charity or other nonprofit organization. The court may also  
9 consider the fact that any defendant who has been charged with a  
10 violation of title 26 has made a monetary contribution to a nonprofit  
11 organization that provides rewards to persons who report violations of  
12 fish and game or wildlife protection laws.

13 (b) In entering a nolle prosequi, the state's attorney, assistant state's  
14 attorney or deputy assistant state's attorney in charge of the case may  
15 consider the fact that the defendant has made a monetary contribution  
16 to the Criminal Injuries Compensation Fund or a contribution of  
17 community service work hours to a private nonprofit charity or other  
18 nonprofit organization. The state's attorney, assistant state's attorney  
19 or deputy assistant state's attorney in charge of the case may also  
20 consider the fact that any defendant who has been charged with a  
21 violation of title 26 has made a monetary contribution to a nonprofit  
22 organization that provides rewards to persons who report violations of  
23 fish and game or wildlife protection laws.

24 (c) A monetary contribution made by a defendant to the Criminal  
25 Injuries Compensation Fund as provided in this section may be paid to  
26 either the clerk of the court or the Office of Victim Services.

|   |  |  |
|---|--|--|
| This act shall take effect as follows and shall amend the following sections: |  |  |
|---|--|--|

|           |                     |        |
|-----------|---------------------|--------|
| Section 1 | <i>from passage</i> | 54-56h |
|-----------|---------------------|--------|

**ENV**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

| Agency Affected | Fund-Effect         | FY 08 \$         | FY 09 \$         |
|-----------------|---------------------|------------------|------------------|
| Judicial Dept.  | CICF - Revenue Loss | Less than 50,000 | Less than 50,000 |

Note: CICF=Criminal Injuries Compensation Fund

**Municipal Impact:** None**Explanation**

The bill allows any defendant charged with a violation under Title 26 of the Connecticut General Statutes (which prohibits poaching) to make a monetary contribution to certain nonprofit organizations instead of the state Criminal Injuries Compensation Fund in order to have the charges dropped. This change would result in a revenue loss to the Criminal Injuries Compensation Fund (CICF), which is used to provide victim services and restitution.

In FY 06, charges were dropped in 1,226 cases filed under Title 26. It is estimated that less than one half of these resulted in contributions to the CICF, and that total contributions were less than \$50,000.

**The Out Years**

The annualized ongoing fiscal impact identified above would remain relatively constant since the applicable fines are set by statute.

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**OLR Bill Analysis****sHB 6565*****AN ACT CONCERNING CHARITABLE CONTRIBUTIONS TO THE  
TURN IN POACHERS PROGRAM BY DEFENDANTS IN  
CONSERVATION CASES.*****SUMMARY:**

By law, a court, when disposing of a criminal or motor vehicle case, may consider that a defendant has donated money to the Criminal Injuries Compensation Fund or provided community service to a private nonprofit charity or other nonprofit organization. This bill authorizes the court, where a defendant is charged with violating state fish and game laws, to also consider if the defendant donated money to a nonprofit organization that offers rewards to people who report violations of fish and game or wildlife protection laws. It similarly allows a prosecutor to consider such a donation when entering a *nolle prosequi*.

EFFECTIVE DATE: Upon passage

**BACKGROUND*****Turn in Poachers Program (TIP)***

TIP provides rewards to people who provide information about poaching and other fish and game law violations. Informants call a 24-hour toll-free, confidential hotline staffed by Department of Environmental Protection (DEP) personnel. TIP offers the informant a reward if a DEP investigation leads to an arrest.

***Nolle Prosequi***

A *nolle prosequi* is a formal statement by the prosecuting attorney that he will not prosecute a case further.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea     31     Nay   0     (03/14/2007)